

Summary of Bills Related to Persons with Developmental Disabilities, 2008 Session (As of July 3, 2008)

Signed into Law			
Bill Number:	HB 08-1031	Short Title:	Developmentally Disabled Waiting List Navigator
Sponsors:	<i>Rep. Pommer Sen. Keller</i>	Status:	Signed into Law
<p>The bill requires the Department of Human Services, in consultation with community centered boards (CCBs), to develop and create a pilot navigator program. The pilot program is to be implemented in one or more CCB regions in the state and is to explore the feasibility of establishing a statewide pilot navigator program to assist persons with developmental disabilities who are waiting for services. As part of the pilot program, the department is to study the effectiveness of helping individuals and families understand the waiting list process, providing families and individuals with information about the individual's place on the waiting list, and assisting individuals and families to find and choose appropriate services while they are waiting for services. The program is to be implemented on or before November 1, 2008, and the department is required to report on the program to the House and Senate Health and Human Services Committees by November 1, 2009.</p>		<p>State Appropriations:</p> <p>To implement the bill, the Department of Human Services requires a General Fund appropriation of \$500,000.</p>	
Bill Number:	HB 08-1047	Short Title:	State Set Asides for Severely Disabled
Sponsors:	<i>Rep. B. Gardner Sen. Boyd</i>	Status:	Signed into Law
<p>The bill creates a set aside program to allow nonprofit agencies that employ persons with severe disabilities to bid to provide certain types of state services. The nonprofit agency must first apply to the Department of Human Services to become a self-certified vendor. The department is to maintain a list of self-certified vendors and the Department of Personnel and Administration is to distribute the list to each state agency. The Department of Human Services, after meeting with the state personnel director, must create a set-aside list of the services that self-certified vendors may bid to perform. State agencies intending to solicit bids for services included on the services set aside list must first solicit bids from self-certified vendors. If no self-certified vendors bid on the services, the agency may solicit bids from other vendors.</p>		<p>State Appropriations:</p> <p>To implement this bill, the Department of Human Services requires a General Fund appropriation of \$23,800 and 0.5 FTE in FY 2008-09.</p>	

Summary of Bills Related to Persons with Developmental Disabilities, 2008 Session (As of July 3, 2008) (cont.)

Signed into Law (cont.)			
Bill Number:	HB 08-1072	Short Title:	Medicaid Buy-in for Disabled Persons
Sponsors:	<i>Rep. Soper Sen. Williams</i>	Status:	Signed into Law
<p>The bill directs the Department of Health Care Policy and Financing request federal authorization to implement a Medicaid Buy-in Program for individuals with disabilities. Oftentimes, disabled persons who work may lose Medicaid coverage if their earnings are too high. Under the program, a person with a disability would pay a premium for Medicaid coverage on a sliding scale based upon his or her income. Prior to requesting federal authorization to implement the program, the Department of Health Care Policy and Financing is to conduct an actuarial study of the disabled population in the state. The department is required to submit a report of the study and a fiscal analysis of the premiums for the buy-in program to the Joint Budget Committee. If approved by the committee, the department must submit an application to the Federal Health Care Financing Administration to permit the state to implement the buy-in program. The implementation of the bill is conditional upon savings from Senate Bill 08-090, concerning mail order prescription drugs for Medicaid clients, or House Bill 08-1409, concerning recoveries of Medicaid funds from third parties, being sufficient to cover the costs of House Bill 08-1072 in FY 2008-09.</p>		<p>State Appropriations:</p> <p>The bill's expenditure impact is conditional upon either Senate Bill 08-090 or House Bill 08-1409 producing savings sufficient to cover the expenditure impact of House Bill 08-1072 in FY 2008-09. The fiscal notes of Senate Bill 08-090 and House Bill 08-1409 indicate sufficient savings to allow the implementation of House Bill 08-1072. If implemented, the bill expected to increase expenditures in the Department of Health Care Policy and Financing by \$55,000 in FY 2008-09 and by \$779,472 and 2.0 FTE in FY 2009-10. Costs are shared between the state General Fund and federal funds. Costs are expected to increase in out-years once the Medicaid Buy-in Program is fully implemented and premium subsidies begin.</p>	
Bill Number:	HB 08-1101	Short Title:	Developmentally Disabilities Wait List for Services
Sponsors:	<i>Rep. B. Gardner Sen. Renfroe</i>	Status:	Signed into Law
<p>The bill creates the Developmental Disabilities Services Cash Fund to consist of moneys appropriated by the General Assembly. During each regular session of the General Assembly, the Joint Budget Committee and the House and Senate Health and Human Services Committees must hold a joint hearing on the status of the waiting lists for services for persons with developmental disabilities. The goal of the hearing is to propose an appropriation from the General Fund to the Developmental Disabilities Services Cash Fund in an amount equal to 2 percent of the amount by which total state General Fund appropriations may increase over the prior fiscal year, pursuant to the Arveschoug-Bird limit on General Fund appropriations. The Department of Human Services and the Department of Health Care Policy and Financing may use the moneys in the Developmental Disabilities Services Cash Fund to fund program costs for specific services for persons with developmental disabilities, with a goal to reduce the number of persons on the waiting lists for such services.</p>		<p>State Appropriations:</p> <p>There is no fiscal impact associated with holding the joint hearing required by the bill. State General Fund expenditures may increase beginning in FY 2009-10, depending upon the decision of the Joint Budget Committee and House and Senate Health and Human Services Committees to propose an appropriation of General Fund to the Developmental Disabilities Services Cash Fund, and the level of the proposed appropriation.</p>	

**Summary of Bills Related to Persons with Developmental Disabilities, 2008 Session
(As of July 3, 2008) (cont.)**

Signed into Law (cont.)			
Bill Number:	HB 08-1127	Short Title:	Developmentally Disabled Employee Income Tax Credit
Sponsors:	<i>Rep. Liston Sen. Gibbs</i>	Status:	Signed into Law
<p>The bill allows employers of persons with developmental disabilities who are hired on and after January 1, 2009, and who work in Adams, Arapahoe, El Paso, Jefferson, Logan, Montrose, and Morgan counties to claim an income tax credit. The credit is applicable for income tax years 2009 to 2011, and is equal to 50 percent of gross wages paid to the employee in the first 3 months of continuous employment; and 30 percent of gross wages paid in the subsequent 9 months. The credit will be not be allowed for the 2009, 2010, or 2011 tax years if there will not be sufficient General Fund revenues in those years to reach the 6 percent limit on General Fund appropriations.</p>		<p>State Appropriations:</p> <p>The bill reduces state General Fund revenue by \$122,544 in FY 2008-09. In addition, the Department of Revenue requires an appropriation of \$18,986 General Fund in FY 2008-09 to implement the bill.</p>	
Bill Number:	HB 08-1220	Short Title:	Developmental Disabilities Statutory Clean-up
Sponsors:	<i>Rep. Buescher Sen. Keller</i>	Status:	Signed into Law
<p>The bill makes changes to statutes governing the provision of services to persons with developmental disabilities to comply with changes in Medicaid waivers required by the federal government. Specifically, the bill authorizes the Department of Human Services to purchase services from service agencies and community centered boards and removes the requirement that 5 percent of funding for services for persons with developmental disabilities consist of local funds.</p>		<p>State Appropriations:</p> <p>The bill reflects current practice of the Departments of Human Services and Health Care Policy and Financing with regard to services for persons with developmental disabilities, and is not expected to result in a change in state expenditures. Local expenditures may change if counties lower the amount of funding for developmental disability services since they are no longer required to contribute 5 percent of the total funding for such services.</p>	

**Summary of Bills Related to Persons with Developmental Disabilities, 2008 Session
(As of July 3, 2008) (cont.)**

Signed into Law (cont.)	
<p>Bill Number: HB 08-1246</p> <p>Sponsors: <i>Rep. Green</i></p> <p>The bill requires the Department of Human Services to convene a working group to develop a plan to implement a registry of caregivers who have had a substantiated allegation of exploitation, mistreatment, neglect, physical abuse, or sexual abuse of a person with a developmental disability. The working group may consider similar models that have been implemented in other states, and must consider existing processes and best practices regarding the creation of a registry, issues related to family caregivers, the acts that constitute a substantiated allegation of abuse, due process rights for caregivers, the investigation process for allegations of abuse, and other items. The working group must report their recommendations to the Senate and House Health and Human Services Committees by January 30, 2009.</p>	<p>Short Title: Abuse Caregiver Registry Developmental Disability</p> <p>Status: Signed into Law</p> <p><i>State Appropriations:</i></p> <p>The bill creates the Caregiver Abuse Registry Fund, and allows the Department of Human Services to accept gifts, grants, and donations to cover expenses associated with the working group. The department is not required to convene the working group until the fund contains at least \$33,000.</p>
<p>Bill Number: SB 08-002</p> <p>Sponsors: <i>Sen. Boyd</i></p> <p>The bill permits qualified family caregivers to provide services to persons with developmental disabilities, if the provision of services by the family caregiver would allow persons with developmental disabilities to receive services in the least restrictive environment. Family caregivers must work through a program approved service agency.</p>	<p>Short Title: Family Caregiver Developmentally Disabled</p> <p>Status: Signed into Law</p> <p><i>State Appropriations:</i></p> <p>To implement this bill, the Department of Human Services requires an appropriation of \$34,264 and 0.5 FTE for FY 2008-09, shared between federal funds and the General Fund. In FY 2009-10, required appropriations increase to \$106,846 and 1.7 FTE, shared between federal funds and the General Fund.</p>

**Summary of Bills Related to Persons with Developmental Disabilities, 2008 Session
(As of July 3, 2008) (cont.)**

Signed into Law (cont.)			
Bill Number:	SB 08-004	Short Title:	State Employment of Persons with Developmental Disabilities
Sponsors:	<i>Sen. Keller Rep. B. Gardner</i>	Status:	Signed into Law
<p>The bill creates the State Employment Program for Persons with Developmental Disabilities within the Department of Human Services. The purpose of the program is to coordinate the hiring of interested persons with developmental disabilities into appropriate and meaningful state employment opportunities. The Department of Human Services and the Department of Personnel and Administration are required to convene a working group to study and recommend how the state's policies with regard to hiring persons with developmental disabilities can be improved. The working group is to make recommendations by January 1, 2009. If the working group finds that statutory or constitutional changes are necessary to implement the State Employment Program for Persons with Developmental Disabilities, the program may not be implemented until the General Assembly has considered the necessary changes or the changes have been adopted by the voters. If the working group finds that no statutory or constitutional changes are necessary, the state Board of Human Services and the state Personnel Board are authorized to promulgate rules to implement the program.</p>		<p>State Appropriations:</p> <p>To implement this bill, the Department of Human Services requires a General Fund appropriation of \$34,293 and 0.5 FTE for FY 2008-09. Of that amount \$28,893 and 0.5 FTE are conditional upon the implementation of the program beginning January 1, 2009.</p>	

Summary of Bills Related to Persons with Developmental Disabilities, 2008 Session (As of July 3, 2008) (cont.)

Signed into Law (cont.)			
Bill Number:	SB 08-005	Short Title:	Supported Employment Outcomes Developmentally Disabled
Sponsors:	<i>Sen. Williams Rep. Pommer</i>	Status:	Signed into Law
<p>The bill creates a pilot program in the Division of Vocational Rehabilitation within the Department of Human Services to implement an outcome-based employment model for persons with developmental disabilities and to recommend a payment system for supported employment services for persons with developmental disabilities. The Department of Human Services is required to develop the pilot program in consultation with community centered boards, providers, persons receiving services, various divisions within the department, and other experts. The pilot program is to begin by March 30, 2009, and must end by March 30, 2011. Prior to the start of the program, the department must report to the Joint Budget Committee and the House and Senate Health and Human Services committees on the details of the program and how resources will be directed to implement the program. By April 30, 2011, the department must submit a report evaluating the pilot program to the House and Senate Health and Human Services committees, the Joint Budget Committee, the governor, and the lieutenant governor. The report will identify projected and realized cost savings associated with the pilot program and the number of jobs obtained and retained through the pilot program. The department is authorized to implement the recommendations of the pilot program within available appropriations.</p>		<p><i>State Appropriations:</i></p> <p>The bill does not result in an increase in state expenditures but may require the Division of Vocational Rehabilitation within the Department of Human Services to redirect resources to implement the provisions of the bill.</p>	
Bill Number:	SB 08-163	Short Title:	Autism Commission
Sponsors:	<i>Sen. Shaffer Rep. Primavera</i>	Status:	Signed Into Law
<p>The bill creates a 24-member commission to study autism issues and to develop a 10-year strategic plan to address the growing number of individuals with autism. The commission is to convene no later than September 8, 2008, and must issue its final report no later than October 1, 2009. The Department of Human Services must designate a nonprofit organization as the custodian of the funds for the commission, and all costs related to the commission are to be paid through gifts, grants, and donations.</p>		<p><i>State Appropriations:</i></p> <p>The costs of member reimbursement and other expenses for the council are to be paid by gifts, grants, and donations. Thus, no state appropriations are required.</p>	

Summary of Bills Related to Persons with Developmental Disabilities, 2008 Session (As of July 3, 2008) (cont.)

Signed into Law (cont.)			
Bill Number:	SB 08-165	Short Title:	Advisory Council Persons Disabilities
Sponsors:	<i>Sen. Williams Rep. M. Carroll</i>	Status:	Signed into Law
<p>The bill codifies the Colorado Advisory Council for Persons with Disabilities within the Governor's Office. The council is to consist of no more than 20 members appointed by the governor, and is to meet at least four times per year, beginning September 1, 2008. The council's duties are to coordinate with state boards and advisory councils relating to persons with disabilities, issue an annual report on the state's programs and policies for persons with disabilities, monitor the state's implementation of portions of the Americans with Disabilities Act, and to act as an additional entry point for public grievances on disability issues.</p>		<p>State Appropriations:</p> <p>The Office of the Governor will require a General Fund appropriation of \$9,030 in FY 2008-09 and FY 2009-10 for costs related to member reimbursement and accommodation of member disabilities.</p>	
Postponed Indefinitely			
Bill Number:	SB 08-142	Short Title:	Scholarships Child with Disability Pilot
Sponsors:	<i>Sen. Spence Rep. Swalm</i>	Status:	Postponed Indefinitely
<p>The bill created the Colorado Scholarships for Children with Disabilities Pilot Program. Under the program, parents of children with disabilities who were previously receiving special education services through a public school district could have requested a scholarship from the Department of Education for the child to attend a private school. The amount of the scholarship was the state average per pupil revenues for the applicable budget year. The scholarship was to be annually renewed until July 1, 2012, unless the child reenrolled in a public school, reached the age of 21, or graduated high school, or the child was determined to no longer be disabled. Each administrative unit of a school district was to provide parents of children with disabilities information about the pilot program. The Department of Education was required to review applications of private schools seeking to participate in the program, receive requests of parents to participate in the program, distribute the scholarships, collect data on the program's effectiveness, and complete an evaluation of the program by January 15, 2012.</p>		<p>State Appropriations:</p> <p>The Department of Education would have required a General Fund expenditure of \$32,440 and 0.6 FTE in FY 2008-09 and \$79,237 and 1.6 FTE in FY 2009-10 to implement the bill. In addition, a transfer from the State Public School equal to the average per pupil revenues for each participant in the pilot program would have been required annually.</p>	